

Illinois Commerce Commission
Evaluation of the Status of Retail Competition in Illinois
Second Round of Comments of the Illinois Industrial Energy Consumers (IIEC)
Regarding the Definition of Retail Competition
May 15, 2006

In the first round of comments filed in this matter, several parties submitted alternative definitions of retail competition. In an email dated May 5, 2006, the ICC Staff requested that interested parties submit a second round of comments to provide an indication of each party's preferred definition of retail competition, based on the various definitions filed in the initial round of comments.

As IIEC noted in its initial comments, a comprehensive definition of retail competition should encompass a variety of factors that impact the vibrancy of the retail electricity market in Illinois, and the definition should also include a number of benchmarks that can be used as indicators of the success of retail customer choice. IIEC has reviewed the definitions of retail competition submitted by other parties in the initial round of comments, and believes that none of those definitions adequately captures the various facets of effective retail competition that IIEC set forth in its initial comments. Accordingly, IIEC cannot support or endorse any of the definitions of retail competition submitted by other parties to date.

IIEC is particularly opposed to proposals that would further simplify the ICC Staff's definition of retail competition by eliminating criteria that directly impact the robustness of retail competition in Illinois. Specifically, IIEC opposes proposals by Ameren and ComEd to delete references to the elimination of barriers to competition from Staff's definition. The existence or absence of barriers to retail customer choice at the wholesale and retail levels is clearly relevant to any meaningful measure of effective retail competition. A thorough analysis of such barriers should be a central focus of the ICC's evaluation of retail customer choice in Illinois.

The ICC Staff also requested feedback from the parties regarding suitable dates for a conference call to discuss the various definitions of retail competition that have been submitted to date. IIEC plans to participate in this conference call, and our preferred dates for such a call are May 18, 22 and 25.

IIEC appreciates the opportunity to submit these additional comments on the definition of retail competition.